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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/203,672 12/01/98 WEN

J Q48591

WM02/1130
SUGHRUE MION ZINN MACPEAK & SEAS
2100 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20037-3202

EXAMINER

AN, S

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 11/30/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

File Copy



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Office Action Summary

Application No.
09/203,672

Applicant(s)
Wen et al.

Examiner
Shawn An

Group Art Unit
2613



☒ Responsive to communication(s) filed on Sep 13, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 8-14 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 8-11 and 14 is/are rejected.

☒ Claim(s) 12 and 13 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 8-11 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki et al (6,097,842).

Suzuki et al disclose a method for use in a system comprising the steps of: generating an extended code (COD) field representing a coding state of the information (Fig. 40A. COD); and including in the extended code field, a bit stream indicating whether both a motion vector and a DCT value being not encoded (Col. 33, lines 54-60), whether both the motion vector and the DCT value are encoded (Col. 35, lines 1-8), or whether only the motion vector is encoded (Col. 34, lines 31-40 and Col. 35, lines 1-3) as specified in claim 8.

Regarding claim 9, Suzuki discloses code field comprising at least two bits (Col. 35, lines 1-8) as specified.

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Regarding claim 10, the Examiner notes that H.263 or MPEG-4 encoding standards are well known in the art. Furthermore, Suzuki discloses H.263 encoding standards (Col. 34, line 35) as specified.

Regarding claim 11, Suzuki discloses the code field having a bit value "00" indicating neither the MV nor the DCT value are encoded, a bit value "11" indicating both the MV and the DCT value are encoded (Col. 35, lines 3-8), and a bit value "10" indicating only the MV is encoded as specified. Therefore, it is considered quite obvious to simply inter change a bit value to an another assigned bit value as specified.

Regarding claim 14, it is considered obvious and well known to encode only MV when motion of an image is constant in order to reduce bits required for coding video frames as specified.

Allowable Subject Matter

3. Claims 12-13 are objected to as being dependent upon a rejected base claim 8, but would be allowable: if claim 12 is rewritten in independent form including all of the limitations of the base claim 8 and any intervening claims. Accordingly, if the amendments are made to the claims listed above, and if rejected claims are canceled, the application would be placed in condition for allowance.

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Conclusion


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Agarwal (5,508,942), Intra/inter decision rules for encoding and decoding video signals.

B) Meyer (5,502,493), Variable length video decoder for use with MPEG encoded video data.

C) Yagasaki et al (5,428,396), Variable length coding/decoding method for motion vectors.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number is (703) 305-0099.


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600


ssa

November 22, 2000

ATTACHMENT TO AND MODIFICATION OF
NOTICE OF ALLOWABILITY (PTO-37)
(November, 2000)

NO EXTENSIONS OF TIME ARE PERMITTED TO FILE CORRECTED OR FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION, notwithstanding any indication to the contrary in the attached Notice of Allowability (PTO-37).

If the following language appears on the attached Notice of Allowability, the portion lined through below is of no force and effect and is to be ignored¹:

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to comply will result in ABANDONMENT of this application. ~~Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).~~

Similar language appearing in any attachments to the Notice of Allowability, such as in an Examiner's Amendment/Comment or in a Notice of Draftperson's Patent Drawing Review, PTO-948, is also to be ignored.

¹ The language which is crossed out is contrary to amended 37 CFR 1.85(c) and 1.136. See "Changes to Implement the Patent Business Goals", 65 *Fed. Reg.* 54603, 54629, 54641, 54670, 54674 (September 8, 2000), 1238 *Off. Gaz. Pat. Office* 77, 99, 110, 135, 139 (September 19, 2000).